IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 23503 of 2004(W)

PETITIONER:

M.G.SIVAPRASAD, PARTNER,
VANCHINAD MEDICALS AND SURGICALS,
OPPOSITE MEDICAL COLLEGE POST OFFICE,
TRIVANDRUM 695 011.

BY ADV. SRI.S.M.PREM
SMT.K.P.SANTHI

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY**
   SECRETARY, HEALTH AND FAMILY WELFARE DEPARTMENT,
   SECRETARIAT, TRIVANDRUM.

2. **THE PRINCIPAL, MEDICAL COLLEGE,**
   TRIVANDRUM.

3. **THE STORE SUPERINTENDENT,**
   MEDICAL COLLEGE HOSPITAL, TRIVANDRUM.

*** ADDL.R4 IMPLEADED.**

4. **S.SASIKALA, STORE SUPERINTENDENT,**
   DISTRICT MEDICAL STORE,
   PATHANAMTHITTA.

ADDL.R4 IMPLEADED VIDE ORDER DT. 5.10.05 IN IA.13952/05.

BY GOVERNMENT PLEADER SMT.P.K.SHAKEELA
SRI.PIRAPPANCODE V.S.SUDHIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 23503 OF 2004-W

JUDGMENT

The petitioner has supplied 50 wheel barrows to the Medical College Hospital, Thiruvananthapuram. Feeling aggrieved by the delay from the part of the respondents in releasing the amount due for the said supply, this Writ Petition was filed.

2. The learned Government Pleader, upon instructions, submitted that the 1st respondent has already instructed the Principal, the 2nd respondent to settle the claim of the petitioner. The officer who was working in the post of the 3rd respondent at the relevant time has been impleaded as additional 4th respondent. She disputes the claim of the petitioner regarding the supply, etc.

3. Having regard to the facts of the case, the 2nd respondent is directed to afford an opportunity of being heard to the petitioner and settle his claim for payment of the cost of the wheel barrows supplied, in accordance with law within one month from the date of production of a

copy of this judgment.

The Writ Petition is disposed of as above.

18th January, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/